

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|--|---|-----------------------|
| FEDERAL TRADE COMMISSION, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | |
| DIRECT MARKETING CONCEPTS, INC., et al., |) | Civ. No. 04-11136-GAO |
| |) | |
| Defendants. |) | |
| |) | |

PLAINTIFF FEDERAL TRADE COMMISSION'S MOTION REQUESTING THAT PREVIOUSLY SUBMITTED STIPULATED FINAL ORDERS NOT BE ENTERED

Plaintiff Federal Trade Commission ("Commission") respectfully requests that, at this time, the Court not enter two Stipulated Final Orders previously submitted by the Commission. Those Orders are, respectively, with: (1) Defendants Alejandro Guerrero and Health Solutions, Inc. [Dkt. # 93] , and (2) Defendants Healthy Solutions, LLC, Gregory Geremesz, and Michael Howell [Dkt. # 98].

The Commission has just become aware of recent developments in a related case in this Court, *ITV Direct, Inc. V. Healthy Solutions, LLC, et al.* (Civil Action No. 04-CV-10421-JLT). Those developments may affect the aforementioned settlements with these parties, and thus need to be assessed by the Commission. Accordingly, the Commission respectfully requests that the Court not enter the two above-mentioned Stipulated Final Orders until further notice from the Commission.

Respectfully submitted,

DANIEL KAUFMAN
KIAL S. YOUNG (BBO # 633515)
EDWARD GLENNON
Federal Trade Commission

600 Pennsylvania Avenue, NW; Suite NJ-3212
Washington, DC 20580
(202) 326-2675, -3126 (voice); (202) 326-3259 (fax)
dkaufman@ftc.gov or eglennon@ftc.gov
ATTORNEYS FOR PLAINTIFF

DATE: July 26, 2005

CERTIFICATE OF SERVICE

My name is Edward Glennon and I am an attorney with Federal Trade Commission. On July 26, 2005, copies of Plaintiff Federal Trade Commission's Motion Requesting That Previously Submitted Stipulated Final Orders Not Be Entered were served via facsimile and Federal Express as follows:

Becky V. Christensen, Esq.
O'Connor Christensen & McLaughlin LLP
1920 Main Street, Suite 150
Irvine, CA 92614
Facsimile: (949) 851-5051

(for Michael Howell, Greg Geremesz, Health Solutions, LLC, Alejandro Guerrero and Health Solutions, Inc)

Dustin F. Hecker
Posternak Blankstein & Lund LLP
The Prudential Tower
800 Boylston Street
Boston, Massachusetts 02199-8004
Facsimile: (617) 722-4927

(for Michael Howell, Greg Geremesz, Health Solutions, LLC, Alejandro Guerrero and Health Solutions, Inc)

Chris Robertson, Esq.
Seyfarth Shaw, LLP
World Trade Center East
Two Seaport Lane, Suite 300
Boston, MA 02210
Facsimile: (617) 946-4801

(for Direct Marketing Concepts, Inc., ITV Direct, Inc., Donald W. Barrett, and Robert Maihos)

Joseph Ryan
Lyne, Woodworth & Evarts LLP
600 Atlantic Avenue
Boston, MA 02210
Facsimile: (617) 248-9877

(for Triad ML Marketing, Inc., King Media, Inc., Allen Stern, Lisa Stern, and Steven Ritchey)

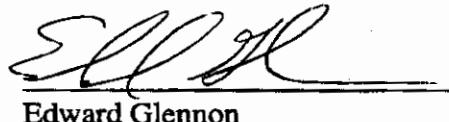
Sage International, Inc.
Attention: Molly Wheeler
1135 Terminal Way, Suite 209
Reno, NV 89502
Facsimile: (775) 786-2013

(for BP International, Inc.)

Brad Keene, Esq.
Keene & Gizzi
220 Broadway, Suite 402
Lynnfield, MA 01940
Facsimile: (781) 346-6355

(for BP International, Inc.)

I declare under penalty of perjury that the foregoing is true and correct. Executed this July 26, 2005 at Washington, D.C.


Edward Glennon